

*Cote, J*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CARLOS AUGUSTO LOPES,

Index No.: 07 CIV 5928 (DLC)

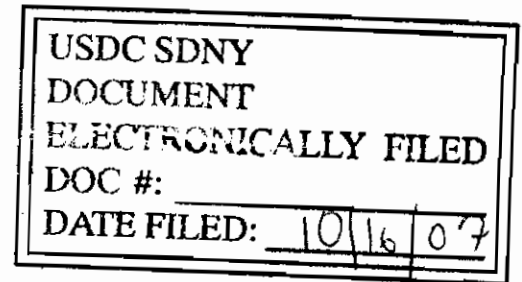
Plaintiff,

Stipulation

-against-

MELLON INVESTOR SERVICES LLC, JP MORGAN  
CHASE & CO., WACHOVIA CORPORATION,  
WACHOVIA BANK, N.A., WACHOVIA/FIRST  
UNION BANK, HELENA BUSHROE, JOHN DOE  
AND JANE ROE,

Defendants.  
-----X



The undersigned attorneys for plaintiff and defendant Wachovia Corporation hereby stipulate and agree, subject to the approval of the Court, as follows:

1. The complaint is dismissed with respect to defendants Wachovia Corporation and Wachovia/First Union Bank.
2. The return date of the motion of Wachovia Bank, N.A. to dismiss the complaint is hereby adjourned from October 19, 2007 to November 2, 2007 and the date for plaintiff to submit its opposition to the motion, if any, is adjourned from October 12, 2007 to October 26, 2007.
3. This is the first request for an adjournment of this motion.

Dated: October 16, 2007

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So Ordered:

*Denise L. Cote*  
Denise L. Cote, U.S.D.J.

Date: October 17, 2007

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